

Chapter 13.14 WATER CONSERVATION

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13.14.010 Purpose.

It is in the public interest to promote the conservation of the city's water supply in order to protect the health, welfare and safety of water users. To accomplish this declared purpose, the city reserves the right to exercise its police powers through emergency measures as set forth in this chapter. (Ord. 1920 § 1 (Exh. A), 2020; Ord. 1551 § 1, 2006)

13.14.020 Authority.

The public works director, when necessary for the protection of the public health, safety and welfare, shall have the authority to declare various stages of water emergencies and to implement the water conservation measures set forth in this chapter. The public works director shall also have authority to determine whether the various stages of water emergencies and water conservation measures apply to the entire city utility service area or to such portions as may be particularly affected. The director shall at all times be subject to the direction and authority of the city manager. (Ord. 1920 § 1 (Exh. A), 2020; Ord. 1551 § 1, 2006)

13.14.030 Policies and procedures.

The following policies and procedures shall apply during the various stages of water emergencies as set forth in this section:

(1) Stage I – Anticipated Water Shortage – Internal Preparations. The public works director may declare a Stage I water emergency when a water shortage is anticipated but not immediate. The public works department shall conduct public education efforts regarding the benefits and necessity of conservation by the public.

(2) Stage II – Serious Water Shortage – Voluntary Conservation. The public works director may declare a Stage II water emergency when a water shortage exists such that immediate voluntary reductions in consumption are necessary. The public works department shall conduct an intensified public information campaign and shall institute a voluntary odd/even home irrigation program. The city shall reduce usage for designated park irrigation systems that do not affect sports fields.

(3) Stage III – Critical Water Shortage – Limited Outdoor Restrictions. The public works director may declare a Stage III water emergency when a water shortage exists such that water supplies are critically impacted and water demand must be reduced. The public works director is authorized to establish certain specified days or hours for irrigating, sprinkling or watering lawns and gardens, and may prohibit or regulate other nonessential uses of water within the water system during such times as there is an actual

or impending water shortage, extreme pressure loss in the distribution system, or for any other reasonable cause. The following nonessential uses of water may be prohibited on all properties connected to the city's water system, whether inside or outside of the city:

- (a) Washing sidewalks, walkways, driveways, parking lots, patios, and other exterior paved areas by direct hosing, except as may be necessary to prevent or eliminate materials dangerous to the public health and safety;
- (b) Escape of water through breaks or leaks within the customer's plumbing or private distribution system for any period of time beyond which such break or leak should reasonably have been discovered and corrected. It shall be presumed that a period of 48 hours after the customer discovers a leak or break, or receives notice from the city of such leak or break, whichever occurs first, is a reasonable time in which to correct the same;
- (c) Noncommercial washing of privately owned motor vehicles, trailers, and boats, except from a bucket or hose using a shutoff nozzle for quick rinses;
- (d) Lawn sprinkling and irrigation which allows water to run off or overspray the lawn area. Every customer is deemed to have knowledge of and control over his or her lawn sprinkling and irrigation at all times;
- (e) Sprinkling and irrigation of lawns, ground cover, or other plants, between the hours of 9:00 a.m. and 6:00 p.m. or on any day not authorized by the established rotation schedule;
- (f) Such other uses as the public works director deems appropriate.

(4) Stage IV – Emergency Water Shortage – Mandatory Outdoor Restrictions and Indoor Conservation. The public works director may declare a Stage IV water emergency when a water shortage exists such that maximum flow reduction is immediately required, water available to the city is insufficient to permit any irrigation, watering or sprinkling, and all available water is needed solely for human consumption, sanitation and fire protection. The public works director may prohibit all nonessential uses of water, including, but not limited to, all vehicle washing, all lawn watering, and all of the uses that may be prohibited for a Stage III water emergency. The public works and utilities department shall disseminate information using every available means to encourage customers to reduce indoor water usage to the maximum extent possible.

(5) Stage V – Regional Disaster – Water Rationing. The public works director may declare a Stage V regional disaster water emergency when a water shortage exists such that water rationing must be implemented and emergency water distribution may be necessary for customers without water. The public works director is authorized to restrict water use by rationing the amount of water used by residential users to a certain number of gallons per day per person residing within the dwelling unit, by rationing the amount of water used by nonresidential users based on a percentage of their historical usage as calculated by the city, and by any other type of rationing as the public works director deems necessary and appropriate in the circumstances.

(6) Implementation Requirements. Prior to the implementation and enforcement of any of the above stages, the public works director shall take reasonable efforts to have information disseminated to affected customers regarding the rationing plan, which shall include, at a minimum, publication in the official newspaper of the city at least once, not less than one week in advance of the effective date of the declaration, information of the declaration of the applicable stage, a description of the limitations and restrictions that would apply, and identification of the effective date of the declared stage and limitations

and restrictions. Notwithstanding the publication requirements set forth in this chapter, if it is determined by the public works director that exigent circumstances exist that necessitate immediate implementation and enforcement of any particular stages of water emergency, notice to affected customers may be provided by personal service of the notice on such customers, or by posting notices at the customers' residences (if the customers' residences are the affected sites), or by posting notices at the locations where the customers' utility services are received (if the affected sites are not their residences).

(7) Term of Stage and Scope. The public works director is also authorized to determine the geographic area to which the declared stage shall apply, and to determine the duration for which the declared stage and its limitations and restrictions shall be in effect. (Ord. 1920 § 1 (Exh. A), 2020; Ord. 1551 § 1, 2006)

13.14.040 Enforcement.

The public works director or designee, code enforcement officers, and police officers of the city shall have the authority to enforce the provisions of this chapter. (Ord. 1920 § 1 (Exh. A), 2020; Ord. 1551 § 1, 2006)

13.14.050 Variances.

The public works director may grant temporary variances for the prospective use of water otherwise prohibited by this chapter. Such temporary variances shall be in writing and shall be based on a determination by the director that, due to unusual circumstances, application of this chapter would cause an extraordinary hardship adversely affecting the health, sanitation, or fire protection of the applicant or the public. The director's determination shall be final unless appealed as follows: a party adversely affected by the director's determination may appeal the determination to the city manager or designee within 24 hours of the director's determination or such later time as the city manager may designate. The city manager's determination shall be final and nonappealable. The 24-hour periods shall exclude Saturdays, Sundays and legal holidays. (Ord. 1920 § 1 (Exh. A), 2020; Ord. 1551 § 1, 2006)

13.14.060 Penalties.

Violations of this chapter shall be punishable as follows:

(1) The first violation of any provision of this chapter shall be a civil infraction as provided for by RCW [7.80.120](#)(1)(a), as now enacted or hereafter amended. Infractions shall be processed pursuant to the authority and provisions set forth in Chapter [7.80](#) RCW, as now enacted or hereafter amended, and the Infraction Rules for Courts of Limited Jurisdiction.

(2) For any second or subsequent violation of any provision of this chapter the violator may be charged as a misdemeanor punishable by imprisonment in jail for a maximum term fixed by the court of not more than 90 days, or a fine in an amount fixed by the court of not more than \$1,000, or both such imprisonment and fine. (Ord. 1920 § 1 (Exh. A), 2020; Ord. 1551 § 1, 2006)

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